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Security Council

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Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

Letter dated 8 March 2004 from the Permanent Representative of the Gambia to the United Nations addressed to the Chairman of the Committee

I transmit herewith a copy of the Gambia's report pursuant to resolution 1455 (2003) (see annex).

(*Signed*) Crispin **Grey-Johnson**
Ambassador and Permanent Representative

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Annex to the letter dated 8 March 2004 from the Permanent Representative of the Gambia to the United Nations addressed to the Chairman of the Committee

THE GAMBIA

NATIONAL REPORT ON THE UNITED NATIONS SECURITY COUNCIL RESOLUTION 1455 (2003)

I. INTRODUCTION:

Q1. Please provide a description of activities, if any, by Usama Bin Laden, Al-Qaida, the Taliban and their associates in your country and the region, as well as likely trends.

A. Al-Qaida as a Terrorist Group has not posed any form of threat to the Gambia since the pronouncement of the operations of the group worldwide.

II. CONSOLIDATED LIST:

Q2. How has the 1267 Committee's List been incorporated within your legal system and your administrative structure, including financial supervision, police, immigration control, customs and consular authorities?

A. a) All points of entry are informed and Immigration Officers are to check; in the event of suspected cases, the National Intelligence Agency (NIA), The Gambia Police Force (GPF) and other competent authorities are invited for joint interrogation.

b) Our Consular Offices are advised to check against Consolidated List, when issuing visas.

The Central Bank of The Gambia sends the Consolidated List to Commercial Banks but all return so far.

c) GPF has effected the following lines of action, in respect of the resolution:

- **Generated a database on information relating to the Taliban/Al-Qaida Sanctions Regime against listed/designated individuals and entities.**
- **The database is updated on regular basis and relevant information is shared between the police and Immigration Department.**
- **The information is mainly used to trace the movements of the Taliban/Al-Qaida members at our official points of entry, by air, sea and land.**

Q3. Have you encountered problems with implementation with regard to the names and identifying information as currently included in the list? If so, please outline the actions that have been taken.

A. Nil.

Q4. Have your authorities identified inside your territory any designated individuals or entities? If so, please outline the action that has been taken.

A. As a global concern and the Security Agencies' resolve to track down Al-Qaida activities, in collaboration with CIA, intercepted four Al-Qaida suspects at the Banjul International Airport on 8th November 2002. The four were arrested on suspicion of being linked with Al-Qaida. After a series of interrogations, two were found to have some knowledge of Al-Qaida. They were Jamil Basir, an Iraqi national and Abu Mazan El Bana a Palestinian national. They were handed over to the CIA. The other two were British nationals, namely, Abdooulah (FNU) and Wahab Basir, who were subsequently released.

Q5. Please submit to the Committee, to the extent possible, the names of individuals or entities associated with Usama Bin Laden or members of the Taliban or Al-Qaida that have not been included in the List, unless to do so would compromise investigations or enforcement actions.

A. Nil return.

The Security Agencies however continue to monitor the activities of Islamist Groups such as Hisbulah in The Gambia. The following who are presently in The Gambia, came to the notice of the security agents in 1992:

1. **Alhaji Fouad Hassan Khalil**
2. **Hisham Kanafer**
3. **Faduala Musa**
4. **Samir Chabad**
5. **Muhammed El Ali**

They are engaged in the following business enterprises: Happiness Supermarket, on Kairaba Avenue, Islamic Social Institution, off Kairaba Avenue, IMEXCO Company in Banjul (junction of ECOWAS Avenue and Hill Street), established in 1997. The latter is under the management of Muhammed El Ali. Every year, the above-mentioned persons invite clerics from either Lebanon or Iran, purporting to attend Islamic ceremonies, only to find that they actually come to consolidate and debrief members about the activities of the Hisbulah Movement. Although these people are still in the country, they have not posed any security threat. They are closely being monitored and the same is true for the other Islamist organizations in the country.

The Security Agencies intercepted eight (8) Arab Belgians in 2003, claiming to have been on a religious errand (Marakas). They were sent out of the country as their objective was to meet members of the Marakas institution in Senegal, which had been closed down by the Senegalese Authorities.

Q6. Have any listed individuals or entities brought a law suit or engaged in legal proceedings against your authorities for inclusion in the list? Please specify and elaborate, as appropriate.

A. Nil.

Q7. Have you identified any of the listed individuals as nationals or residents of your country? Do your authorities have any relevant information about them not already included in the list? If so, please provide this information to the Committee as well as similar information on listed entities, as available.

A. No.

Q8. According to your national legislation, if any, please describe any measures you have taken to prevent entities and individuals from recruiting or supporting Al-Qaida members in carrying out activities inside your country, and to prevent individuals from participating in Al-Qaida training camps established in your territory or in another country.

A. Please see Anti-Terrorism Act (2002) Sections 3, 4, 5, 6 & 7. (Copy supplied with the Initial Report on UNSCR 1373.)

III. FINANCIAL AND ECONOMIC ASSETS FREEZE:

No case yet.

Q9. Describe the domestic legal basis to implement the asset freeze required by the resolutions; any impediments under your domestic law in this context and steps taken to address them.

A. a) Please see the Anti-Terrorism Act, Section 17.

The following administrative procedures are effected:

Transactions in excess of $10,000 for individuals and $40,000 for institutions are checked and reported on by Commercial Banks. The Central Bank of The Gambia imposes penalties when institutions default in reporting.

b) The Fraud and Commercial Unit of the GPF constantly liaises with the Banking Institutions in an attempt to trace the assets of the Taliban/Al-Qaida Regime, to identify the funding of International Terrorism and their respective properties.

The Criminal Intelligence Unit (INTERPOL) of The Gambia Police Force has been in liaison with the Non-Governmental Organization Affairs Agency to verify the genuine existence of NGOs and their source of funding.

The office also liaises with the Immigration Department to check the movement of persons against the Consolidated List.

Similarly, the police is constantly updated on the status of registered companies, so as to ensure that only genuine organizations operate in The Gambia through the Attorney General's Chambers.

In 1998, the West African States established a National Commission on the control, importation, exportation, manufacture and eradication of small arms, through a moratorium. It requires the prior approval of all member states before any state can import small and light weapons.

This system enhances transparency and the effective monitoring of the circulation of small arms and other weapons, which may illegally find their way into the hands of terrorist and other criminal groups. In The Gambia, the Commission is chaired by the Department of State for Defence.

Q10. Please describe any structures or mechanisms in place within your Government to identify and investigate Usama Bin Laden, Al-Qaida or Taliban-related financial networks, or those who provide support to them or individuals, groups, undertakings and entities associated with them within your jurisdiction. Please indicate, as appropriate, how your efforts are coordinated nationally, regionally and/or internationally.

A. The Gambia is a Member of the ECOWAS Intergovernmental Action Group against Money-Laundering.

Q11. Please convey the steps banks and/or other financial institutions are required to take to locate and identify assets attributable to, or for the benefit of, Usama Bin Laden or members of Al-Qaida or Taliban, or associated entities or individuals. Please describe any <due diligence> or <know your customer> requirements. Please indicate how these requirements are enforced, including the names and activities of agencies responsible for oversight.

A. Applying the banking supervision Core Principles of the Bank for International Settlement (BIS) <Know Your Customer> and <Due Diligence> standards, the Central Bank of The Gambia requires banks in The Gambia to regularly update their records on existing customers and institute a closer monitoring of potential clients.

These standards help enhance their ability for proper customer identification, record keeping processes, detection and reporting of suspicious transaction. It also helps to ensure all financial institutions put in place adequate policies, procedures and practices that seek to promote high ethical and professional standards. It is believed that this would prevent the transmission of illegal funds and the channeling through our financial system of assets related to money laundering and terrorist activities.

The Gambia also regularly participates in regional initiatives such as seminars, conferences and workshops that help educate staff of various government agencies, on the nature and ramifications of these crimes and how best to eradicate them.

Q12. Identification of persons or entities whose assets have been frozen:

- A description of the nature of the assets frozen;
- The value of assets frozen.

A. Nil.

Q13. Please indicate whether you have released pursuant to resolution 1452 (2002) any funds, financial assets or economic assets that have previously been frozen.

A. Nil.

Q14. Please indicate the domestic legal basis, including a brief description of laws, regulations and/or procedures in place in your country to control the movement of such funds or assets to designated individuals and entities.

A. Nil.

IV. TRAVEL BAN:

All points of entry are notified.

Q15. Please provide an outline of the legislative and/or administrative measures, if any, taken to implement the travel ban.

A. The Gambia Immigration Department compiles its <Stop List>, mainly from the US Embassy in Banjul. Names are sent in and all points of entry are notified. Instructions are given to Immigration Officers to physically check all

persons entering the country against the List. In suspected cases, the concerned is detained and the appropriate authorities are informed, for confirmation.

Q16. Have you included the names of the listed individuals in your national <stop list> or border checkpoint list? Please outline steps taken and problems encountered.

A. Yes. The appropriate detection technology is not available at points of entry.

Q17. Do you possess the capability of searching List data using electronic means at all entry points?

A. No.

Q18. Have you stopped any listed individuals at any of your border points or while transiting your territory?

A. No.

Q19. Have your visa issuing authorities identified any visa applicant whose name appears on the List?

A. None so far.

V. ARMS EMBARGO:

Not applicable.

Q20. What measures, if any, do you have in place to prevent the acquisition of conventional arms and weapons of mass destruction?

A. Not applicable.

Q21. What measures, if any, have you adopted to criminalise the violation of the arms embargo?

A. Please see the Anti-Terrorism Act.

Q22. Please describe your arms/arms broker system.

A. No System.

Q23. Do you have any safeguards that the weapons and ammunition produced within your country will not be diverted/used by Usama Bin Laden and other associates?

A. Not applicable.

VI. ASSISTANCE AND CONCLUSION:

Q24. Would your state be willing and able to provide assistance to other states?

A. We are willing to co-operate. However, our means are grossly inadequate.

Q25. Please identify areas, if any, of any incomplete implementation of the Taliban/Al-Qaida sanctions regime, and where you believe specific assistance or capacity building would improve your ability to implement the above sanctions regime.

A. a) To forestall our constraints, it would be necessary to receive logistical support and financing of the operations of the Security Agencies.

Logistical support in the form of cross-country automobiles and motorcycles, equipment such as handheld radios, mobile radios and appropriate technology for detection, identification and analysis. Most importantly, the Security Agencies need operational funding.

b) An Anti-Terrorist Unit comprising all the security outfits in the country will be established. The proposed unit will need assistance in the construction of a structure to house it and the provision of necessary equipment.

- **Assistance for Computerization of a National Database for Gambian nationals and Aliens.**
- **Assistance for a Fraudulent Document Detector.**
- **Training.**